

§259. Transfer of agencies and functions to Department of Health and Hospitals

A. The transfers and abolitions of agencies hereinafter made in this Section shall be effective as provided in Chapter 24 of this Title.

B. The Health Education Authority of Louisiana (R.S. 17:3051 et seq.) is transferred to and hereafter shall be within the Department of Health and Hospitals, as provided in R.S. 36:804.

C. The following agencies, as defined by R.S. 36:3, are transferred to and hereafter shall be within the Department of Health and Hospitals, as provided in Part II of Chapter 22 of this Title:

- (1) Greenwell Springs Hospital (Greenwell Springs)
- (2)-(7) Repealed by Acts 1991, No. 390, §6, eff. Jan. 1, 1992.
- (8) Repealed by Acts 1989, No. 344, §4, eff. June 28, 1989.
- (9) Southeast Louisiana State Hospital (Mandeville)
- (10) East Louisiana State Hospital (Jackson)
- (11) Jonesboro Charity Hospital (Jonesboro)
- (12) Central Louisiana State Hospital (Pineville)
- (13) Pinecrest Supports and Services Center (R.S. 28:22.8(A)(3); R.S. 28:451.4)
- (14) North Lake Supports and Services Center (R.S. 28:22.8(A)(9); R.S. 28:451.4)
- (15) Columbia Community Residential and Employment Services (R.S. 28:22.8(A)(5); R.S. 28:451.4)

(16) The mental health facilities located in New Orleans, Baton Rouge, Shreveport, Monroe, Lake Charles, Alexandria, Lafayette, Metairie, Hammond, Natchitoches, Ruston, Chalmette, Houma, Harvey, Marksville, Bogalusa, Pineville, Many, New Roads, Covington, Crowley, Donaldsonville, Plaquemine, Raceland, Leesville, Norco, Mandeville, Ville Platte, Patterson, Tallulah, Columbia, Oakdale, and any other state owned or operated facilities as may be hereinafter established (R.S. 28:22.4-22.5)

- (17) Bayou Region Supports and Services Center (R.S. 28:22.8(A)(2); R.S. 28:451.4)
- (18) Northeast Supports and Services Center (R.S. 28:22.8(A)(4); R.S. 28:451.4)
- (19) Greater New Orleans Supports and Services Center (R.S. 28:22.8(A)(1); R.S. 28:451.4)
- (20) Louisiana Physical Therapy Board (R.S. 37:2401-2424)
- (21) Northwest Supports and Services Center (R.S. 28:22.8(A)(6); R.S. 28:451.4)
- (22) Leesville Residential and Employment Services (R.S. 28:22.8(A)(7); R.S. 28:451.4)
- (23) Villa Feliciana Medical Complex (R.S. 28:22.7; R.S. 40:2002.4; R.S. 40:2142).
- (24) The Health Maintenance Organization of New Orleans Charity Hospital (R.S. 22:2181-2182)
- (25) Acadiana Employment Services at Eunice (R.S. 28:22.8(A)(10); R.S. 28:451.4)
- (26) Acadiana Employment Services at Opelousas (R.S. 28:22.8(A)(11); R.S. 28:451.4)

D. Repealed by Acts 2010, No. 743, §20, eff. July 1, 2010.

E. The following agencies, as defined in R.S. 36:3, are transferred to and hereafter shall be within the Department of Health and Hospitals, as provided in R.S. 36:803:

- (1) Louisiana State Board of Nurse Examiners (R.S. 37:911-37:935)
- (2) Louisiana State Board of Dentistry (R.S. 37:753-37:790)
- (3) Louisiana State Board of Board Certified Social Work Examiners (R.S. 37:2701-37:2718)
- (4) Louisiana State Board of Optometry Examiners (R.S. 37:1041-37:1067)
- (5) Louisiana State Board of Examiners for Sanitarians (R.S. 37:2101-37:2116)
- (6) Louisiana State Board of Practical Nurse Examiners (R.S. 37:961-37:979)
- (7) Louisiana Board of Chiropractic Examiners (R.S. 37:2801-37:2818)
- (8) Louisiana State Board of Medical Examiners (R.S. 12:914; R.S. 37:611-37:628; 37:1261-37:1290; 37:2401-37:2417)
- (9) Louisiana State Board of Embalmers and Funeral Directors (R.S. 37:831-37:851)
- (10) State Board of Examiners for Psychologists (R.S. 37:2351-37:2368)
- (11) Louisiana Board of Examiners for Speech-Language Pathology and Audiology (R.S. 37:2650 et seq.)
- (12) State Board of Veterinary Medical Examiners (R.S. 37:1511-37:1532)
- (13) Board of Examiners for Nursing Home Administrators (R.S. 37:2501-37:2511)
- (14) Louisiana Board of Pharmacy (R.S. 37:1161-1250; R.S. 51:521-51:525)
- (15) Repealed by Acts 1985, No. 302, §1.
- (16) Louisiana Board for Hearing Aid Dealers (R.S. 37:2441-37:2465)
- (17) Radiologic Technology Board of Examiners (R.S. 37:3200-37:3219)
- (18) Repealed by Acts 2010, No. 861, §22.

(19) Repealed by Acts 2004, No. 803, §5, eff. July 8, 2004.

(20) Louisiana Physical Therapy Board (R.S. 37:2401-2424)

(21) The Louisiana Licensed Professional Vocational Rehabilitation Counselors Board of Examiners (R.S. 37:3441-3452)

(22) Allied Health Professionals Supply and Demand Commission (R.S. 37:3601).

(23) The Addictive Disorder Regulatory Authority (R.S. 37:3389).

(24) Repealed by Acts 2008, No. 534, §4, eff. June 30, 2008.

F. The following agencies, as defined in R.S. 36:3, previously abolished by the Executive Reorganization Act, and their powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Health and Hospitals and shall be exercised and performed as provided in Part IV of Chapter 22 of this Title:

(1) Louisiana Health and Human Resources Administration (R.S. 46:1751-46:1767, and generally Chapters 1 and 11 of Title 40 and all of Title 46 of the Louisiana Revised Statutes of 1950, except R.S. 46:1601-46:1608) to the extent that the cited provisions provide with respect to agencies or functions placed in or transferred to the Department of Health and Hospitals.

(2), (3) Repealed by Acts 1991, No. 390, §6, eff. Jan. 1, 1992.

(4) Repealed by Acts 1989, No. 662, §8, eff. July 7, 1989.

(5) Repealed by Acts 1991, No. 390, §6, eff. Jan. 1, 1992.

(6), (7) Repealed by Acts 2010, No. 861, §22.

(8) Home Care Service Council (R.S. 40:2009.31-40:2009.41)

(9) Louisiana State Board of Health and the Louisiana Department of Health and all its subsidiary boards (R.S. 40:1-40:335)

(10) Louisiana Narcotics Rehabilitation Commission (R.S. 40:1051-40:1055)

(11) Repealed by Acts 2010, No. 861, §22.

(12) Repealed by Acts 1991, No. 390, §6, eff. Jan. 1, 1992.

(13), (14) Repealed by Acts 2010, No. 861, §22.

(15) Interdepartmental Health Policy Commission (Executive Order No. 58, June 6, 1967; Executive Order No. 70, April 6, 1970)

(16) Anatomical Board (R.S. 17:2271-17:2280)

(17) Repealed by Acts 2010, No. 861, §22.

(18) Board of Commissioners of the South Louisiana Health Services District (R.S. 28:241-28:249)

(19) Louisiana State Planning and Advisory Council on Developmental Disabilities

(20) Nursing Home Advisory Committee (R.S. 40:2009.1)

(21) Hospital Licensing Council (R.S. 40:2108-40:2113.3)

G. The State Board of Electrolysis Examiners (R.S. 37:3051-3077) is placed within the Department of Health and Hospitals and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:803.

H. The Governor's Council on Physical Fitness and Sports (R.S. 40:2451 et seq.) is placed within the Department of Health and Hospitals and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:802.

I. The following agencies, as defined in R.S. 36:3, are placed within the Department of Health and Hospitals and shall exercise and perform their powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:802:

(1) Repealed by Acts 2001, No. 197, §2.

(2) Repealed by Acts 2009, No. 438, §8(B).

(3) Commission on Perinatal Care and Prevention of Infant Mortality (R.S. 40:2018)

(4) State Office of Comprehensive Health Planning (Executive Order No. 79-2)

(5) Water Supply and Sewerage Systems Certification Committee (R.S. 40:1141-40:1151)

(6) Repealed by Acts 1995, No. 185, §3.

(7) Repealed by Acts 1989, No. 662, §12, eff. Aug. 15, 1989.

(8) Repealed by Acts 1989, No. 352, §3; Acts 1989, No. 662, §8, eff. July 7, 1989.

J.(1) The Louisiana Emergency Response Network Board (R.S. 40:2841-2846) is placed within the Department of Health and Hospitals and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with R.S. 36:801.1.

(2) The Louisiana Emergency Response Network Board shall be a separate budget unit within the Department of

Health and Hospitals.

K. The Medicaid Pharmaceutical and Therapeutics Committee (R.S. 46:153.3) is placed within the Department of Health and Hospitals and shall perform and exercise its powers, duties, functions, and responsibilities as provided by law.

L.(1) The Louisiana State Planning Council on Developmental Disabilities (R.S. 28:750 et seq.) is placed within the Department of Health and Hospitals and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:801.1. The council shall have full appointing authority for all personnel purposes.

(2) The regional and state advisory councils for the community and family support system (R.S. 28:824(J)) are placed within the Department of Health and Hospitals and shall exercise and perform their powers, duties, functions, and responsibilities as provided by or pursuant to law.

M. The Ambulance Standards Committee of the Emergency Medical Services Task Force as established by the assistant secretary of the office of public health (R.S. 40:1232(A)(3) and (4)) is placed within the Department of Health and Hospitals and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred with the provisions of Part III of Chapter 22 of this Title.

N. The advisory council for the program of early identification of hearing impaired infants (R.S. 46:2261 et seq.) is placed within the Department of Health and Hospitals and shall exercise and perform its powers, duties, functions, and responsibilities as provided by or pursuant to law.

O. The Louisiana Commission on Addictive Disorders (R.S. 46:2500 et seq.) is placed within the Department of Health and Hospitals and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:914.

P. The Physician Assistants Advisory Committee (R.S. 37:1270.1) is placed within the Department of Health and Hospitals and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:914.

Q. The Louisiana State Board of Examiners in Dietetics and Nutrition (R.S. 37:3081-3093) is placed within the Department of Health and Hospitals and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with R.S. 36:803.

R. The Emergency Medical Services for Children Advisory Council (R.S. 40:1300.101 et seq.) is placed within the Department of Health and Hospitals and shall exercise and perform its powers, duties, functions, and responsibilities as provided by or pursuant to law.

S. The Louisiana Commission for the Deaf (R.S. 46:2351 et seq.) is hereby placed within the Department of Health and Hospitals and shall perform and exercise its powers, duties, functions, and responsibilities as provided for agencies transferred as provided in R.S. 36:802.

T. The Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board (R.S. 46:2631 through 2635) is hereby placed within the Department of Health and Hospitals and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:802.

U. The Louisiana Access to Better Care Medicaid Insurance Demonstration Project Oversight Board (R.S. 46:160.8) is placed within the Department of Health and Hospitals and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of Part II of Chapter 22 of this Title.

V. Repealed by Acts 2010, No. 743, §10B, eff. July 1, 2010.

W. The Louisiana Board of Wholesale Drug Distributors (R.S. 37:3461-3482) shall be placed within the Department of Health and Hospitals and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:803.

X. The Advisory Committee on Hospice Care (R.S. 40:2191) is placed within the Department of Health and Hospitals and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred as provided in Part III of Chapter 22 of this Title.

Y. Repealed by Acts 1990, No. 351, §3, eff. July 10, 1990.

Z. Repealed by Acts 1991, No. 390, §6, eff. Jan. 1, 1992.

AA. Repealed by Acts 2001, No. 1185, §8, eff. July 1, 2001.

BB. The following agencies, as defined in R.S. 36:3, are placed within the Department of Health and Hospitals and shall perform and exercise their powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:914:

(1) Respiratory Care Advisory Committee (R.S. 37:3356)

(2) The Louisiana Advisory Committee on Populations and Geographic Regions With Excessive Cancer Rates

(R.S. 40:1299.90.1).

(3) The Fluoridation Advisory Board (R.S. 40:5.11(C)-(F)).

CC. The Louisiana Board of Massage Therapy (R.S. 37:3551-3567) is placed within the Department of Health and Hospitals and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with R.S. 36:803.

DD. The Clinical Laboratory Personnel Committee (R.S. 37:1311, et seq.) is placed within the Department of Health and Hospitals under the jurisdiction of the Louisiana State Board of Medical Examiners and shall perform and exercise its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with R.S. 36:919.2.

EE. The Louisiana Licensed Professional Counselors Board of Examiners, R.S. 37:1101 et seq., is hereby placed within the Department of Health and Hospitals and shall perform and exercise its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:803.

FF. The Medical Education Commission (R.S. 17:1519.8) is placed within the Department of Health and Hospitals and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of Part III of Chapter 22 of this Title.

GG. The Louisiana Emergency Medical Services Certification Commission (R.S. 40:1232.2) is placed within the Department of Health and Hospitals and shall perform and exercise its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with R.S. 36:919.4.

HH. Repealed by Acts 2006, No. 713, §4, eff. July 1, 2006.

II. Repealed by Acts 2010, No. 743, §13, eff. July 1, 2010.

JJ. Repealed by Acts 2008, No. 815, §5.

KK. Repealed by Acts 2008, No. 815, §5.

LL. Repealed by Acts 2005, No. 428, §3, eff. July 1, 2005.

Acts 1976, No. 513, §1; Acts 1977, No. 83, §1, eff. June 22, 1977; Acts 1977, No. 519, §1; Acts 1978, No. 439, §2; Acts 1978, No. 786, §4, eff. July 17, 1978; Acts 1979, No. 312, §1; Acts 1979, No. 449, §3, eff. Jan. 1, 1980; Acts 1979, No. 748, §2, eff. Jan. 1, 1980; Acts 1980, No. 629, §1; Acts 1980, No. 751, §1; Acts 1980, No. 825, §1, eff. Aug. 1, 1980; Acts 1981, No. 873, §1, eff. Sept. 11, 1981; Acts 1981, No. 690, §1; Acts 1982, No. 528, §2; Acts 1982, No. 812, §2; Acts 1983, No. 481, §1; Acts 1983, No. 507, §2; Acts 1984, No. 88, §1; Acts 1984, No. 485, §1; Acts 1984, No. 842, §2; Acts 1984, No. 847, §1; Acts 1984, No. 846, §3; Acts 1984, No. 899, §1, eff. July 1, 1984; Acts 1985, No. 286, §2; Acts 1985, No. 302, §1; Acts 1985, No. 408, §2; Acts 1985, No. 690, §2, eff. July 16, 1985; Acts 1985, No. 692, §1; Acts 1985, No. 813, §1; Acts 1986, No. 357, §2 and §3, eff. June 30, 1986; Acts 1986, No. 874, §1; Acts 1986, No. 880, §2; Acts 1986, No. 908, §2; Acts 1987, No. 43, §1; Acts 1987, No. 208, §2, eff. Jan. 1, 1988; Acts 1987, No. 384, §1; Acts 1987, No. 536, §3; Acts 1987, No. 574, §2, eff. July 9, 1987; Acts 1987, No. 617, §2; Acts 1987, No. 787, §2; Acts 1987, No. 892, §2, eff. July 20, 1987; Acts 1987, No. 932, §§2,3, eff. July 20, 1987; Acts 1988, 1st Ex. Sess., No. 1, §§2, 10, eff. Mar. 28, 1988; Acts 1988, No. 373, §1; Acts 1988, No. 701, §1; Acts 1988, No. 785, §1; Acts 1988, No. 796, §2, eff. July 18, 1988; Acts 1988, No. 852, §2; Acts 1988, No. 941, §1; Acts 1988, No. 372, §1, eff. July 8, 1988; Acts 1989, No. 9, §1, eff. June 16, 1989; Acts 1989, No. 294, §3, eff. June 27, 1989; Acts 1989, No. 329, §3; Acts 1989, No. 344, §4, eff. June 28, 1989; Acts 1989, No. 352, §§1, 3; Acts 1989, No. 355, §1; Acts 1989, No. 381, §1; Acts 1989, No. 403, §1, eff. June 30, 1989; Acts 1989, No. 445, §2; Acts 1989, No. 456, §2; Acts 1989, No. 458, §2; Acts 1989, No. 662, §8, eff. July 7, 1989, §9, eff. June 30, 1989, §12, eff. August 15, 1989; Acts 1990, No. 94, §3; Acts 1990, No. 351, §3, eff. July 3, 1990; Acts 1990, No. 464, §1; Acts 1990, No. 800, §2; Acts 1990, No. 815, §1; Acts 1991, No. 227, §1; Acts 1991, No. 253, §2, eff. July 2, 1991; Acts 1991, No. 390, §1, §6, eff. Jan. 1, 1992; Acts 1991, No. 429, §2; Acts 1991, No. 576, §1; Acts 1991, No. 818, §2; Acts 1992, No. 260, §2, eff. June 10, 1992; Acts 1992, No. 427, §1; Acts 1992, No. 753, §1, eff. Sept. 1, 1992; Acts 1992, No. 1047, §2; Acts 1993, No. 396, §1, eff. Aug. 1, 1993; Acts 1993, No. 662, §3, eff. June 5, 1993; Acts 1995, No. 185, §3; Acts 1995, No. 369, §2; Acts 1995, No. 892, §1; Acts 1995, No. 1242, §2, eff. June 29, 1995; Acts 1995, No. 1301, §2; Acts 1997, No. 3, §3, eff. July 1, 1997; Acts 1997, No. 641, §2; Acts 1997, No. 908, §1; Acts 1997, No. 913, §1; Acts 1997, No. 982, §2, eff. July 10, 1997; Acts 1997, No. 1116, §2; Acts 1997, No. 1185, §1; Acts 1999, No. 674, §2, eff. July 1, 1999; Acts 1999, No. 767, §2; Acts 1999, No. 1039, §2, eff. July 9, 1999; Acts 1999, No. 1148, §4; Acts 2001, No. 197, §2; Acts 2001, No. 1183, §3; Acts 2001, No. 1185, §8, eff. July 1, 2001; Acts 2004, No. 248, §1, eff. June 15, 2004; Acts 2004, No. 644, §1; Acts 2004, No. 726, §1, eff. July 1, 2004; Acts 2004, No. 803, §1, eff. July 8, 2004; Acts 2004, No. 906, §1, eff. July 12, 2004; Acts 2004, No. 920, §1, eff. July 12, 2004; Acts 2005, No. 428, §3, eff. July 1, 2005; Acts 2006, No. 427, §1; Acts 2006, No. 713, §§2 and 4, eff. July 1, 2006; Acts 2007, No. 2, §1; Acts 2007, No. 325, §2, eff. July 9, 2007; Acts 2007, No. 360, §2; Acts 2008, No. 415, §2, eff. Jan. 1, 2009; Acts 2008, No. 534, §§2, 4, eff. June 30, 2008; Acts 2008, No. 815, §5; Acts 2009, No. 438, §§8(B), 9(B), 10, 15(B); Acts

2009, No. 535, §1, eff. Jan. 1, 2010; Acts 2010, No. 743, §§10B, 13, and 20, eff. July 1, 2010; Acts 2010, No. 861 §§17, 22; Acts 2010, No. 939, §4, eff. July 1, 2010.

*NOTE: R.S. 40:2002, referred to in Para. (C)(16), was repealed by Acts 1977, No. 680, §1.

NOTE: See Acts 1990, No. 800, §4.

NOTE: Acts 1997, No. 3 provides for the transfer of state hospitals from the former La. Health Care Authority to the LSU Medical Center and for certain responsibilities of DHH.

NOTE: See Acts 2004, No. 248, §3, which provides that the Act shall be referred to as the "Heather, Skylar, and Ellie Law".

NOTE: See Acts 2009, No. 438, §16 relative to transfer of functions, authority, business, employees, etc. pursuant to abolitions of entities as provided in the Act. Entities affected include the La. Medical Assistance Trust Fund Advisory Council.

NOTE: See Acts 2010, No. 939, §§13 and 17, relative to continuity of administrative rules and contracts of the Dept. of Social Services relative to programs and operations transferred by the Act to the Dept. of Health and Hospitals.

NOTE: See Acts 2010, No. 939, §15, relative to transfer of funds for the La. Traumatic Head and Spinal Cord Injury Trust Fund to the Dept. of Health and Hospitals.

NOTE: See Acts 2010, No. 939, §20, relative to report of cost of implementing transfer of programs to Dept. of Health and Hospitals.